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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/505,161	08/30/2004	Peter King	108347-00032	6683

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EXAMINER	
LEFF, STEVEN N	

ART UNIT	PAPER NUMBER
1794	

NOTIFICATION DATE	DELIVERY MODE
07/23/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/505,161	KING, PETER	
	Examiner	Art Unit	
	STEVEN LEFF	1794	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 April 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

- Claims 5-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
    - The phrase "high voltage charging circuit" in claim 5 is rejected, as it is a relative term, which renders the claim indefinite. The term "high" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. It is unclear as to what is encompassed by the phrase "high"; it is unclear as to what degree of difference is encompassed by this phrase, if not a "high voltage charging circuit".
    - Claim 6 is rejected due to the phrase "comprising for vibrating or shaking the chute" as it is unclear what is "vibrating or shaking the chute" since it appears that some words are missing.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

- Claims 1 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Dunaway (3114482).

With respect to claims 1 and 4, Dunaway teaches a method of coating a product carried on a surface of a delivery mechanism, with a coating substance, where it is noted that the table depicted by reference #12 is taken to be the surface of the delivery mechanism as the table is used to deliver the product under the coating apparatus as is taught in figure 1. More specifically, Dunaway teaches the method comprises delivering

the coating substance to a location above said surface carrying (fig. 1) said product via an inclined chute (fig. 1 ref. # 40, col. 2 line 56+) down which the coating substance falls under gravity (col. 3 line 55+), in the direction of said surface from the end of the inclined chute (col. 3 line 55+). Dunaway continues by teaching that during its fall under gravity, and substantially immediately beneath the exit end of said inclined chute (fig. 1 ref. #62), subjecting the coating substance to at least one pressurized gas stream delivered by a gas jet nozzle (fig. 1 ref. #62, col. 3 line 7+, col. 3 line 10+), whereby the falling coating substance is dispersed, and to an electric field generated by an electrode (col. 3 line 21+) attached to or located adjacent to the nozzle (fig. 1, fig. 3 ref. # 72), whereby the coating substance is charged (col. 3 line 21+). With respect to the limitation "gas jet nozzles", it is noted that Dunaway teaches specifically defined and sized holes which have been formed in a tube (col. 3 line 2+), in addition to teaching the ability to cause the holes to rotate for causing the air curtain to be in a specific direction (col. 3 line 2+), and thus since a nozzle provides focused dispensing, in addition to increasing the pressure of the fluid as it exits therefrom, the defined tubes of Dunaway with defined openings are taken to be gas jet nozzles. Dunaway continues by teaching that the pressurized gas stream impinges upon the coating substance prior to subjection to said electric field (col. 3 line 13+).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.

3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yonkers et al. (3221938) in view of Watkins (3468691).

With respect to claims 1-8, Yonkers et al. teaches a method of coating a product with a coating substance. More specifically, Yonkers et al. teaches the method comprises delivering the coating substance to a location above said surface carrying (fig. 4) said product via an inclined chute (fig. 4 ref. #70, #72, col. 3 line 43+) down which the coating substance falls under gravity (col. 2 line 60+), in the direction of said surface from the end of the inclined chute (fig. 4). Yonkers et al. continues by teaching that during its fall under gravity, and substantially immediately beneath the exit end of said inclined chute (fig. 4 ref. #95), subjecting the coating substance to at least one pressurized gas stream delivered by a gas jet nozzle (fig. 4 ref. #'s 95, and 97, col. 4 line 32+), whereby the falling coating substance is dispersed, and to an electric field generated by an electrode (fig. 4 ref. #79, col. 3 line 65+) attached to or located adjacent to the nozzle (fig. 4, col. 4 line 6+), whereby the coating substance is charged (fig. 4, col. 4 line 20+). With respect to the limitation "gas jet nozzles", it is noted that Yonkers et al. teaches specifically defined holes which have been formed in a tube (col. 4 line 30+), in addition to teaching the desire to cause the holes to be focused in a specific direction (col. 4 line 30+) and referring to the small holes as air jets (col. 4 line 30+), and since a nozzle provides focused dispensing, in addition to increasing the pressure of the fluid as it exits therefrom, the defined tubes of Yonkers et al. with defined openings are taken to be gas jet nozzles.

Yonkers et al. continues by teaching that the pressurized gas stream is subjected to the electric field prior to impinging upon the coating substance (fig. 4, col. 4 line 14+) with respect to nozzle 97 of figure 4, and that the pressurized gas stream impinges upon the coating substance prior to subjection to said electric field with respect to the gas stream which exits from reference # 95. Yonkers continues by teaching an apparatus which further comprises a high voltage charging circuit for charging the electrode (col. 4 line 16), wherein in use gas ejected from said nozzle passes over said electrode and is

charged (col. 4 line 20+), and impinges on the coating substance falling from the exit end of the chute (col. 4 line 44+).

However Yonkers et al. is silent with respect to coating a product carried on a surface of a delivery mechanism, and vibrating or shaking the chute to disperse the coating substance and to aid transfer of the substance along the chute.

Watkins teaches a method and apparatus for flavoring food products. More specifically Watkins teaches coating a product carried on a surface of a delivery mechanism (col. 5 line 32+), and vibrating or shaking the chute to disperse the coating substance and to aid transfer of the substance along the chute (col. 5 line 26+).

Therefore although Yonkers et al. does not teach coating a product carried on a surface of a delivery mechanism, Yonkers et al. does teach coating on freshly printed sheets (col. 1 line 14+), and where Watkins teaches the product being carried on a surface of a delivery mechanism (col. 5 line 32+), it would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to have combine the teaching of Yonkers et al. and Watkins and taught that the product is carried on a surface of a delivery mechanism since both Yonkers et al. and Watkins teach the desire to provide a method of coating using an electric field, since Yonkers et al. teach printing on freshly printed sheets (col. 1 line 14) where providing a continuous process would allow the coating to be provided immediately after printing thereby reducing the risk of smearing, etc., and since Watkins positively teaches the use of a delivery mechanism for it's art recognized and applicant's intended purpose of providing a continuous process thereby increasing profits as the subsequent coatings are performed without any down time since the products to be coated are continually delivered to the coating area. It would have further been obvious since MPEP 2144.07 states that the selection of a known process based on its suitability for its intended use supports a prima facie obviousness determination.

Further although Yonkers et al. does not teach vibrating or shaking the chute to disperse the coating substance and to aid transfer of the substance along the chute, Yonkers et al. does teach providing a roller within the hopper to aid in the flow of the coating agent (col. 3 line 52+) out of the hopper. Further Watkins teaches vibrating or shaking the chute to disperse the coating substance and to aid transfer of the substance along the chute (col. 5 line 28+), thus it would have been obvious to one of ordinary skill

in the art at the time of the invention by the applicant to have combine the teaching of Yonkers et al. and Watkins and taught vibrating or shaking the chute to disperse the coating substance and to aid transfer of the substance along the chute since both Yonkers et al. and Watkins teach the desire to provide a method of coating using an electric field where dispersion is desired (abstracts), since Yonkers et al. teach providing a roller within the hopper to aid in the flow of the coating agent (col. 3 line 52+) out of the hopper, where providing vibration or shaking would allow the coating to be continuously agitated thereby aiding the effect of gravity and thus providing a more consistent and even flow of the coating product as it exits the inclined chute toward the product, and since Watkins positively teaches vibrating or shaking the chute to disperse the coating substance and to aid transfer of the substance along the chute (col. 5 line 28+) for it's art recognized and applicant's intended purpose of providing a continuous, and consistent process thereby increasing profits as the subsequent coatings are performed in a more uniform manner and at a continuous rate in addition to help reduce agglomeration of the coating since it has been agitated. It would have further been obvious since MPEP 2144.07 states that the selection of a known process based on its suitability for its intended use supports a prima facie obviousness determination.

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided

the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

- Claims 1-9 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 copending Application No. 11/166175 in view of Dunaway 3114482). Although the conflicting claims are not identical, they are not patentably distinct from each other because although claim 1 of patent application 11/166175 does not recite an inclined chute or a gas jet nozzle, Dunaway does teach the use of both an inclined chute and a gas jet nozzle. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to have taught an inclined chute, as is taught by Dunaway (3114482, fig. 1 ref. #40) for its art recognized and applicant's intended purpose of aiding the flow of the coating material out of the hopper, as is taught by Dunaway (col. 3 line 66+). It would have further been obvious to provide a gas jet nozzle to one of ordinary skill in the art at the time of the invention by the applicant, as is taught by Dunaway (3114482, fig. 1 ref. #62) for its art recognized and applicant's intended purpose of aiding the flow of the coating material out of the hopper, and toward a specific direction, namely the direction of the product to be coated as is taught by Dunaway (col. 3 line 9+). This is a provisional obviousness-type double patenting rejection.

- Claims 1-9 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 copending Application No. 10/959300 in view of Dunaway (3114482). Although the conflicting claims are not identical, they are not patentably distinct from each other because although claim 1 of patent application 10/959300 does not recite an inclined chute or a gas jet nozzle, Dunaway does teach the use of both an inclined chute and a gas jet nozzle. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to have taught an inclined chute, as is taught by Dunaway (3114482, fig. 1 ref. #40) for its art recognized and applicant's intended purpose of aiding the flow of the coating material out of the hopper, as is taught by Dunaway (col. 3 line 66+). It would have further been

obvious to provide a gas jet nozzle to one of ordinary skill in the art at the time of the invention by the applicant, as is taught by Dunaway (3114482, fig. 1 ref. #62) for its art recognized and applicant's intended purpose of aiding the flow of the coating material out of the hopper, and toward a specific direction, namely the direction of the product to be coated as is taught by Dunaway (col. 3 line 9+). This is a provisional obviousness-type double patenting rejection.

- Claims 1-9 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 copending Application No. 11/141050 in view of Dunaway (3114482). Although the conflicting claims are not identical, they are not patentably distinct from each other because although claim 3 of patent application 11/141050 does not recite a gas jet nozzle, Dunaway does teach the use of a gas jet nozzle. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to have taught a gas jet nozzle, as is taught by Dunaway (3114482, fig. 1 ref. #62) for its art recognized and applicant's intended purpose of aiding the flow of the coating material out of the hopper, and toward a specific direction, namely the direction of the product to be coated as is taught by Dunaway (col. 3 line 9+). This is a provisional obviousness-type double patenting rejection.

Response to Arguments

With respect to applicant's argument that Dunaway, and Yonkers requires the roller to carry the powder from the end of the "inclined chute" it is initially noted that the claims recite the phrase "comprising" and thus there is nothing in the scope of the claims which excludes the use of a roller.

With respect to applicant's argument that Dunaway, requires the roller to carry the powder from the end of the "inclined chute" and thus does not teach "allowing the coating substance to fall under gravity in the direction of the inclined chute", applicant is urged to column 3 lines 47-49 which states that the powder is predisposed to move toward the blade or "inclined chute", and column 3 lines 52-54 which states that the powder passes by the free end of the "inclined chute" thus positively teaching delivering the coating substance to a location above said surface carrying (fig. 1) said product via an inclined chute (fig. 1 ref. # 40, col. 2 line 56+) down which the coating substance falls under gravity (col. 3 line 55+), in the direction of said surface from the end of the inclined chute (col. 3 line 55+). It is further noted that Dunaway continues by stating at column 3 lines 55-57 that the powder will fall of its own weight from the

"inclined chute" (ref. #40), and thus due to the coating being located above the product to be coated and due to the laws of gravity, gravity is always acting on the coating since the coating powder is predisposed to move toward the blade or "inclined chute", due to the omnipresent force of gravity, and thus Dunaway does not require the roller in order for the coating to be under the influence of gravity, and thus Dunaway further positively teaches that during its fall under gravity, and substantially immediately beneath the exit end of said inclined chute (fig. 1 ref. #62), subjecting the coating substance to at least one pressurized gas stream delivered by a gas jet nozzle (fig. 1 ref. #62, col. 3 line 7+, col. 3 line 10+), whereby the falling coating substance is dispersed, and to an electric field generated by an electrode (col. 3 line 21+) attached to or located adjacent to the nozzle (fig. 1, fig. 3 ref. # 72), whereby the coating substance is charged (col. 3 line 21+).

Regarding applicants' argument that Dunaway teaches the use of air streams which are used to restrict the zone of the falling powder and not disperse the falling powder, applicant is urged to column 1 lines 63-66 which states that an object of the invention is to dispense a "fine cloud of material", where it is further noted that in order for the air streams to properly restrict the zone of the falling powder, the air streams must act with a force which maintains this zone by blowing the falling powder, where blowing the falling powder positively would cause the coating substance to be dispersed, where the dispersion takes place in a defined application area. It is further noted that the fact that applicant has recognized another advantage which would flow naturally from following the suggestion of the prior art cannot be the basis for patentability. See Ex parte Obiaya, 227 USPQ 58, 60 (Bd. Pat. App. & Inter. 1985).

With respect to applicants argument that Dunaway does not teach that the particles of powder are themselves charged since the electrostatic charging tube is for wiping the surface of the roller, it is noted that the roller is grounded (col. 4 line 1) and thus the electric field produced by Dunaway wipes the roller surface clean due to the coating powder accepting a charge and being repelled by the grounded roller due to the electric field which is produced by the electrostatic field generator, and thus the coating possess a charge. It is further noted that the disclosure by Dunaway on column 1 lines 24-32 is directed to the prior art and not to the deficiencies of Dunaway as asserted by applicant, where this passage of Dunaway is directed to overcoming the limitations of the prior art with respect to charged coating substances and thus since Dunaway teaches an electrostatic field producing means, Dunaway positively teaches subjecting the coating substance to an electric field whereby the coating substance is charged.

Regarding applicant's argument that the present invention does not require a roller, applicant is urged to column 2 lines 29-32 which teaches that the roller is a metering mechanism, where Yonkers teaches delivering the coating substance to a location above said surface carrying (fig. 4) said product via

an inclined chute (fig. 4 ref. #70, #72, col. 3 line 43+) down which the coating substance falls under gravity (col. 2 line 60+), in the direction of said surface from the end of the inclined chute (fig. 4). Regarding applicants' argument that Yonkers teaches the use of air streams which are used to restrict the zone of the falling powder and not disperse the falling powder, applicant is urged to column 4 lines 32-37 where it is noted that in order for the air streams to properly restrict the zone of the falling powder, the air streams must act with a force which maintains this zone by blowing the falling powder, where blowing the falling powder positively would cause the coating substance to be dispersed, where the dispersion takes place in a defined application area.

Regarding applicant's argument that Yonkers merely provides a structure to free powder from the roller surface and not charging the falling coating substance, applicant is urged to column 2 lines 57-61 which states that the electric field helps to disperse the powder material, where the powder material is aided in dispersing due to the particles being charged by the electric field generated by the high voltage source.

With respect to the obviousness double patenting rejection of 11/166175, and 10/959300 and specifically applicant's argument that Dunaway does not teach the charging of a falling coating substance it is noted that the roller is grounded (col. 4 line 1) and thus the electric field produced by Dunaway wipes the roller surface clean due to the coating powder accepting a charge and being repelled by the grounded roller due to the electric field which is produced by the electrostatic field generator, and thus the coating possess a charge.

With respect to the obviousness double patenting rejection of 11/141050, and applicant's argument that Dunaway teaches the use of air streams which are used to restrict the zone of the falling powder and not disperse the falling powder, applicant is urged to column 1 lines 63-66 which states that an object of the invention is to dispense a "fine cloud of material", where it is further noted that in order for the air streams to properly restrict the zone of the falling powder, the air streams must act with a force which maintains this zone by blowing the falling powder, where blowing the falling powder positively would cause the coating substance to be dispersed, where the dispersion takes place in a defined application area. Further, applicant argues that the air streams are not positioned and are not provided to aid the flow of the powder out of the hopper, however it is noted that the features upon which applicant relies (i.e., that the air streams are not positioned and are not provided to aid the flow of the powder out of the hopper) is not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See In re Van Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). In the instant case, claim 1 requires "subjecting the

coating substance to at least one pressurized gas stream delivered by a gas jet nozzle, whereby the falling coating substance is dispersed" as is taught by Dunaway (fig. 1 ref. #62, col. 3 line 7+, col. 3 line 10+). Applicant further requests that specific support for such a characterization be pointed out, as such applicant is urged to column 3 lines 16-20 which specifically states that the air tube "is also used to blow out powder". It is further noted that the fact that applicant has recognized another advantage which would flow naturally from following the suggestion of the prior art cannot be the basis for patentability. See Ex parte Obiaya, 227 USPQ 58, 60 (Bd. Pat. App. & Inter. 1985).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to STEVEN LEFF whose telephone number is (571)272-6527. The examiner can normally be reached on Mon-Fri 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Callie Shosho can be reached on (571) 272-1123. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Steven Leff/
Examiner, Art Unit 1794

/Callie E. Shosho/
Supervisory Patent Examiner, Art Unit 1794